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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,)	Case No. 12cr1315-MMA
)	
Plaintiff,)	PRELIMINARY ORDER
)	OF CRIMINAL FORFEITURE
v.)	
)	
LUIS CARLOS CISNEROS,)	
)	
Defendant.)	
)	

WHEREAS, in the Information in the above-captioned case, the United States sought forfeiture of all right, title and interest in specific property of the above-named Defendant pursuant to Title 31, United States Code, Sections 5317(c) and 5332(b)(2), as property involved in or traceable to the violation of Title 31, United States Code, Sections 5316(a)(1), and 5324(c) and (d), as charged in the single-count Information; and

WHEREAS, on or about April 26, 2012, the above-named Defendant, LUIS CARLOS CISNEROS ("Defendant"), pled guilty to Count 1 of the Information before Magistrate Judge Karen S. Crawford, which plea included consent to the criminal forfeiture allegation pursuant to Title 31 as set forth in the Information; and

WHEREAS, on or about May 10, 2012, the plea of the above-named Defendant was accepted by the U.S. District Court; and

WHEREAS, by virtue of the facts set forth in the plea agreement, the United States has established the requisite nexus between the forfeited property and the offense; and

1 WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession
2 of said property, pursuant to 31 U.S.C. § 5332 and Rule 32.2(b) of the Federal Rules of Criminal
3 Procedure; and

4 WHEREAS, pursuant to Rule 32.2(b), the United States having requested the authority to
5 take custody of the following property which was found forfeitable by the Court, namely:

6 **\$24,208.00 in U.S. currency;** and

7 WHEREAS, the United States, having submitted the Order herein to the Defendant
8 through his attorney of record, to review, and no objections having been received;

9 Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

10 1. Based upon the guilty plea of the Defendant, the United States is hereby authorized
11 to take custody and control of the following asset, and all right, title and interest of Defendant
12 LUIS CARLOS CISNEROS in the following property are hereby forfeited to the United States for
13 disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n):

14 **\$24,208.00 in U.S. currency.**

15 2. The aforementioned forfeited asset is to be held by the United States Customs and
16 Border Protection ("CBP") in its secure custody and control.

17 3. Pursuant to Rule 32.2(b) and (c), the United States is hereby authorized to begin
18 proceedings consistent with any statutory requirements pertaining to ancillary hearings and rights
19 of third parties.

20 4. Pursuant to the Attorney General's authority under Section 853(n)(1) of Title 21,
21 United States Code, Rule 32.2(b)(3), Fed. R. Crim. P., and Rule G(4) of the Supplemental Rules
22 for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States forthwith shall
23 publish for thirty (30) consecutive days on the Government's forfeiture website,
24 www.forfeiture.gov, notice of this Order, notice of the CBP's intent to dispose of the property in
25 such manner as the Attorney General may direct, and notice that any person, other than the
26 Defendant, having or claiming a legal interest in the above-listed forfeited property must file a
27 petition with the Court within thirty (30) days of the final publication of notice or of receipt of
28 actual notice, whichever is earlier.

5. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

6. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that are the subject of the Preliminary Order of Criminal Forfeiture.

7. Upon adjudication of all third-party interests, this Court will enter an Amended Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

IT IS SO ORDERED.

DATED: May 29, 2012

Michael M. Cello

Hon. Michael M. Anello
United States District Judge